

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

GARRY R. BARNES AND GLB VENTURE,)
LLC,) Case No. 08-162
)
Plaintiffs,) Hon. Ronald Guzman
)
v.)
)
NEUROMARK, INC.,)
)
Defendant.)

**AGREED MOTION TO
EXTEND DISCOVERY CUTOFF**

Plaintiffs, Garry R. Barnes and GLB Venture, LLC, and Defendant, Neuromark, Inc., request that this Court enter an order extending the discovery cutoff to October 17, 2008, and in support hereof, respectfully state as follows:

1. This case was filed on January 11, 2008. The discovery cutoff is currently set for August 29.
2. Over the past six months, the parties have spent substantial time and effort discussing settlement. Ultimately, those efforts were not successful. In part because of the settlement discussions, the parties have not yet completed all discovery that will be needed. Both parties have served written discovery, and Plaintiffs have answered Defendant's interrogatories and document requests but have yet to produce their documents; Defendant has not yet responded to written discovery.

3. Depending on the responses to their written discovery, Plaintiffs anticipate that they will take several depositions, most in the Denver area. Defendant will, at minimum, seek to depose plaintiff Garry Barnes.

4. Because the Democratic National Convention is scheduled for Denver in the last week in August, it seems likely that airfare to and hotel rooms in Denver and surrounding areas will be far more expensive than they are otherwise, if available at all.

5. The parties have conferred, and agreed to jointly seek extension of the discovery cutoff.

6. This discovery extension is unlikely to have any effect on this Court's ability to set a trial date, as the current schedule contemplates expert witness discovery. Experts seem unlikely given the nature of the issues in dispute in the case.

WHEREFORE, Plaintiffs and Defendant request that this Court enter an order:

- A. Extending the discovery cutoff until October 17, 2008;
- B. Granting such other and further relief as is just and equitable.

Date: August 20, 2008

Respectfully submitted,

By: /s/ Jessica Tovrov
One of the Plaintiffs' Attorneys

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